



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

January 17, 2020

BY ECF

The Honorable Paul G. Gardephe
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

**Re: *United States v. Michael Avenatti,*
S1 19 Cr. 373 (PGG)**

Dear Judge Gardephe:


The Government respectfully submits this letter to clarify certain information regarding the Jason Frank Law PLC debt set forth in the Government's letter, dated January 15, 2020. (Dkt. No. 148.) Based on further conversations with lay witnesses after that letter was filed, including the Office Manager, who are familiar with the judgments obtained by Jason Frank Law PC against both Eagan Avenatti LLP and the defendant referenced in the Government's prior letter, the Government understands that the \$10,000,000 judgment and the \$5,054,287.75 judgment are separate obligations, and both would be collectible against the respective subjects of those judgments. In short, the total amount that Jason Frank Law PC would be entitled to collect from the defendant and from the law firm that he owned was in March 2019 in excess of \$15,000,000, and the two listed obligations are not overlapping or otherwise duplicative.

As explained in prior filings and during discussion regarding this and similar evidence, the defendant's contemporaneous debts, and his statements to the Office Manager about how he expected he would soon be able to pay them off, are highly relevant to his state of mind at the time of charged conduct. They both explain specific demands and corroborate the defendant's intent to obtain substantial sums for himself rather than, and at the expense of, his client, and the probative value on these points far outweighs any theoretical risk of unfair prejudice or juror confusion.

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Respectfully submitted,

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